

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2014 'T' Street, Suite 210, Sacramento, CA 95814-5212
(916) 227-2873 TTY (800) 700-2320 Fax (916) 227-2870
www.dfeh.ca.gov



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**CONTACT: DIA S. POOLE
(916) 227-2873**

**DFEH TO SETTLE CASE AGAINST TEAMSTERS IN SAN BERNARDINO COUNTY;
SEXUAL HARASSMENT VICTIM AWARDED \$105,000 IN DAMAGES**

Sacramento – The Department of Fair Employment and Housing (DFEH) today announced that it has finalized a \$105,000 settlement of a sexual harassment complaint brought against the Teamsters Local Union No. 166 by a former female employee. The complaint was filed with DFEH by the employee in October of 1998, and after investigating the case, DFEH filed an Accusation before the Fair Employment and Housing Commission (FEHC) in October of 1999. The Local elected to have the matter adjudicated in San Bernardino County Superior Court and agreed to the settlement without admitting any liability.

The alleged victim, a business agent who has since moved away from California, had been employed in the Union's office since February of 1995. In early 1998, she complained to her supervisor about acts of sexual harassment allegedly committed by two male co-workers. The men allegedly referred to her in derogatory terms and made statements alleging sexual activity between the purported victim and numerous co-workers. The Local's then secretary-treasurer ordered the office manager to investigate the allegations and it was subsequently determined that sexual harassment had occurred. The secretary-treasurer ordered that the two male co-workers be suspended for one week without pay and ordered that a notice of the suspensions be placed in each man's personnel file. After the business agent lodged her complaint, she was subjected to retaliatory acts and was fired by her purported harasser. The union's executive board overturned the suspensions of the alleged perpetrators and removed the disciplinary documents from their personnel files.

"This Administration has zero tolerance for sexual harassment," said DFEH Director Dennis Hayashi. "The law is clear that employers must ensure a workplace free of harassment and retaliation. They also have a legal obligation to take immediate and appropriate corrective action when they learn of unlawful harassment." Hayashi added that DFEH is increasing its efforts to provide more education to employers to increase awareness of their legal obligations under the Fair Employment and Housing Act (FEHA).

According to DFEH Counsel Janie Hickok Siess, who finalized the settlement, the terms of the agreement also require the Union to prepare and disseminate an anti-discrimination and anti-harassment policy to all employees and to train all supervisors in the procedures for handling and processing internal discrimination and harassment complaints. DFEH maintains the right to conduct a compliance review within one year to determine if the terms of the agreement have been fully implemented.

For more information about rights and responsibilities under the FEHA, contact DFEH at (800) 884-1684 or visit the Department's website at www.dfeh.ca.gov.